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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,640	11/25/2003	Kenneth G. Miller	F-711	5612

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EXAMINER

HAMILTON, LALITA M

ART UNIT PAPER NUMBER

3624

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,640

Applicant(s)

MILLER ET AL.

Examiner

Lalita M Hamilton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04172005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 29. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The abstract of the disclosure is objected to because the use of the language "his/her" is improper. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities:

On p.1 and 4-11, the Examiner respectfully requests that the Applicant insert parentheses around (i.e.,.....etc.).

On p.8, "data base" should be "database".

Appropriate correction is required.

Claim Objections

Claims 1-14 and 20-23 are objected to because of the following informalities:

In claim 1, the use of the language "his/her" is improper.

In claims 6 and 20, "indicting" should be "indicating".

In claims 7 and 21, "data base" should be "database".

The remaining claims are objected to for their dependency upon objected claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-29 are rejected for the following reasons:

In claims 1 and 15, "face" lacks antecedent basis.

In claims 2 and 16, "location" lacks antecedent basis.

In claim 7, "physical location" lacks antecedent basis.

In claim 10, "first code" lacks antecedent basis.

In claims 11 and 25, "minimum amount" lacks antecedent basis.

In claims 12 and 26, "entire amount" lacks antecedent basis.

In claims 13-14 and 27-28, "minimum amount" lacks antecedent basis.

The remaining claims are rejected for their dependency upon rejected claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Delfer (5,496,991).

Delfer discloses an automated remittance method comprising giving one or more bills in the form of one or more mail pieces to a bill recipient, placing a code by a creditor on one or more bills that references the bill recipient, the bill recipient's account number and amount due on the face of the mail piece, mailing the bill by the bill recipient, scanning the code on the mail piece, creating an electronic funds transaction for the amount indicated in the code between the bill recipient's bank account and the creditor's bank account, and transferring funds from the bill recipient's bank account to the creditor's bank account (col.4, lines 1-30); a first code that references the bill recipient's account number and amount due and a second code that references the location of the bill recipient (col.4, lines 15-30 and fig.1-all); the first code is a Planet code and the second code is a Postnet bar code (col.4, lines 15-30 and fig.1-all—codes contain all information applicable); indicating on the mail piece after funds have been transferred to the creditor's bank account from the bill recipient's bank account that the bill has been paid (col.4, lines 1-30); delivering the mail piece indicating that the bill has been paid to the bill recipient (col.4, lines 1-30—well-known and practiced to send receipts to customers via mail); the first code references a record in a data base that references the bill recipient's bank account, amount due, the account being paid, and the second code represents the physical location of the bill recipient (col.4, lines 15-30 and fig.1-all); the first code indicates that an electronic funds transaction will take place

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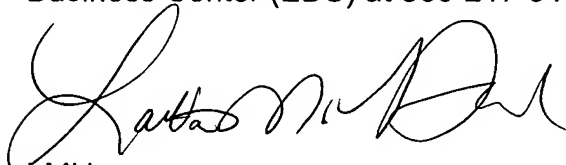
(col.4, lines 1-30); code placed by the creditor indicates the minimum amount that is due (col.4, lines 1-30); the code placed by the creditor indicates the entire amount that is due (col.4, lines 1-30); code placed by the creditor indicates an amount greater than the minimum amount that is due is going to be paid (col.4, lines 1-30); placing an indication on the bill by the bill recipient that indicates the amount greater than the minimum amount that is due is going to be paid (col.4, lines 1-30—may be authorized on approval card); and delivering a billing mail piece from a creditor to a bill recipient, the billing mail piece including a bill and a bill-paying return mail piece, receiving the bill-paying return mail piece mailed by the bill recipient, the bill-paying return mail piece having a code printed thereon that identifies at least one of the bill recipient and the bill an amount due on the face of the mail piece, recipient's account number and scanning the code on the bill-paying return mail piece, and initiating an electronic funds transaction for the amount indicated in the code from the bill recipient's bank account to the creditor's bank account (col.4, lines 1-30 and fig.1-all).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (703) 306-5715. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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SUPERVISORY PATENT EXAMINER
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